



MIAMI BEACH

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

March 9, 2011

Mayor Matti Herrera Bower
Vice-Mayor Jonah Wolfson
Commissioner Jorge Exposito
Commissioner Michael Góngora
Commissioner Jerry Libbin
Commissioner Edward L. Tobin
Commissioner Deede Weithorn

City Manager Jorge M. Gonzalez
City Attorney Jose Smith
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Special note: In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to the alternate meeting date which will only be held if needed. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

Call to Order - 9:00 a.m.
Inspirational Message, Pledge of Allegiance
Requests for Additions, Withdrawals, and Deferrals

The City Commission will recess for lunch at approximately 1:00 p.m.

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports
C4 Commission Committee Assignments
C6 Commission Committee Reports
C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports
R5 Ordinances
R7 Resolutions
R9 New Business and Commission
R10 City Attorney Reports

Reports and Informational Items

Presentations and Awards

- PA1 Certificates Of Appreciation To Be Presented To Miami Beach Police Department's Officer Of The Month For January And To The Life Saving Awardee. (Page 3)
(Requested by Commissioner Jorge Exposito)
- PA2 Proclamation To Be Presented In Honor Of Women's History Month.
(Requested by Mayor Matti Herrera Bower)
- PA3 Certificates Of Completion To Be Presented To The Graduates Of Leadership Academy In English And In Spanish (Fall 2010).
(City Manager's Office)
- PA4 Presentation On Backyard ArtVenture.
(Requested by Mayor Matti Herrera Bower)
- PA5 Key To The City To Be Presented To Assistant Fire Chief Javier Otero For His Military Service.
(Requested by Commissioner Jerry Libbin)
- PA6 Certificate Of Appreciation To Be Presented To Lily Sand, Building Department.
(Requested by Commissioner Jonah Wolfson)
- PA7 Certificate Of Recognition To Be Presented To The Olive And The Lemon (Catering Company).
(Requested by Commissioner Jonah Wolfson)
- PA8 Certificate Of Appreciation To Be Presented To The Section 8 Department Of The Miami Beach Housing Authority.
(Requested by Commissioner Góngora)

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C2 - Competitive Bid Reports

- C2A Request For Approval To Issue A New Request For Proposals (RFP) With A Revised Scope Of Services, Having Rejected All Proposals Received Pursuant To RFP No. 47-09/10 To Provide Electric Vehicle Charging Stations For The City's Parking Facilities For Being Deemed Non-Responsive.
(Page 7)
(Parking Department)

C2 - Competitive Bid Reports (Continued)

- C2B Request For Approval To Issue A Request For Proposals (RFP) For The Expansion Of The City's E-Procurement System Of Solicitation Announcements And Document Fulfillment Services. (Page 13)
(Procurement)
- C2C Request For Approval To Issue A Request For Qualifications (RFQ) For The Design, Bid, Award, And Construction Administration Services For The Middle Beach Recreational Corridor Phase II Project. (Page 19)
(Public Works)

C4 - Commission Committee Assignments

- C4A Referral To The Neighborhoods/Community Affairs Committee - Discussion Regarding A Resolution Opposing Cultural Exchanges Between Cuba And The United States. (Page 27)
(Requested by Mayor Matti Herrera Bower)
- C4B Referral To The Neighborhoods/Community Affairs Committee - Discussion Regarding Street Ends And Swales Along The Water. (Page 33)
(Requested by Commissioner Deede Weithorn)
- C4C Referral To The Neighborhoods/Community Affairs Committee - Discussion Regarding Regulating The Speed Of Segways In Pedestrian Areas. (Page 35)
(Requested by Commissioner Deede Weithorn)
- C4D Referral To The Finance And Citywide Projects Committee - Discussion Regarding Increased Competition And Ways To Strengthen And Promote Washington Avenue Daytime Retail, Nighttime Clubs And Entertainment. (Page 37)
(Requested by Vice-Mayor Jonah Wolfson)
- C4E Referral To The Finance And Citywide Projects Committee - Discussion On Resources Assigned To Address Proliferation Of Homeless On Washington Avenue. (Page 39)
(Requested by Vice-Mayor Jonah Wolfson)
- C4F Referral To The Finance And Citywide Projects Committee - Discussion Regarding Master Meter And Parking Elevator Door Public Service Initiative Proposal By Rebuzz Marketing And How It Can Bring Revenue To The City Without Taxation. (Page 41)
(Requested by Vice-Mayor Jonah Wolfson)
- C4G Referral To The Land Use And Development Committee To Discuss Amending The Public Notice Requirements For Board Of Adjustment, Planning Board, Historic Preservation Board And Design Review Board Items From Thirty (30) Days To Fifteen (15) Days. (Page 43)
(Requested by Commissioner Edward L. Tobin)

C4 - Commission Committee Assignments (Continued)

- C4H Referral To The Land Use And Development Committee To Discuss How Vacant Buildings Can Be Secured In A Fashion That Will Discourage Vandalism Or Criminal Activity. (Page 45)
(Requested by Vice-Mayor Jonah Wolfson)

C6 - Commission Committee Reports

- C6A Report Of The Capital Improvement Projects Oversight Committee Meeting Of January 19, 2011: **1)** Attendance. **2)** Review And Acceptance Of Minutes. **3)** Commission Items: 53rd Street Restroom, Flamingo Park Demolition Of Robert C. Haas Handball Courts And Friendship Corner, South Pointe Phase II CO For Construction Of 3rd Street Improvements, Biscayne Point Amendments 6, 7 And 8. **4)** Public Comments. **5)** Requested Reports. **6)** Old Business: A) Venetian Island Neighborhood Improvement Project, B) Sunset Islands I & II, C) Sunset Islands III & IV, D) Palm & Hibiscus, E) Flamingo/West Avenue Neighborhood ROW, F) Royal Palm Avenue And 44th Street Flooding Mitigation, **7)** Adjournment. (Page 49)
- C6B Report Of The Finance And Citywide Projects Committee On January 27, 2011: **1)** Follow Up: Discussion Regarding \$94,000 – Sleepless Night. **2)** Discussion Of A Renewal For The Security Alliance Contract. **3)** Discussion Regarding Final Suggested Amendments To The Request For Proposal (RFP) To Provide Parking Cashiers/Attendants And Supervisors For The City's Parking Garages. **4)** Discussion Regarding Hop-On-Hop-Off City Bus Tour Service From Various Locations In The City. **5)** Discussion Regarding The Shift To An iPad From The Printed Agenda. **6)** Discussion Of All Fees Administratively Set Or Have Been Administratively Set. **7)** Explanation For Any Increases In Individual Department Budgets (Net Of Increases From Pension Reallocations And Internal Service Increases). **8)** Discussion Regarding Proposing A Refund Of The Miami Beach Millage Increase. **9)** Discussion Regarding The Convention Center Extension And Enhancement Plan. **10)** Discussion Regarding Veterans Day Parade And Picnic 2011. **11)** Discussion On Adopting The Master Plan For The North Shore Bandshell Park Project. (Page 53)
- C6C Report Of The Neighborhoods/Community Affairs Committee Meeting On February 3, 2011: **1)** Follow-Up Report Regarding The Transparency, Reliability, Accountability Committee (TRAC). **2)** Discussion Regarding The Mapping Of Old Alton Road On Miami Beach. **3)** Discussion Regarding Overgrown Shrubs On Dunes And Beach Walks In Miami Beach. **4)** Discuss Various Issues Related To Flagler Memorial (Monument) Island, Its Current And Future Operations And Management Options. **5)** Follow-Up Discussion And Request For Further Direction Concerning The Dogs Off-Leash Six Month Trial Program Approved By The City Commission In South Pointe Park That Began On June 1, 2010 And Concluded On November 30, 2010. **6)** Discussion Regarding A Resolution Revising The Special Events Requirements And Guidelines," By Amending The Sections Entitled "Weddings And Ceremonies," "Minimum Requirements," "Internal Review Procedure," "Criteria For Grant Of Special Event Permit," "External Review Procedure," "Adherence To Regulations And Other Policies," "Beach Vehicle Access Policy," "Event Signage," "Product Promotion/Temporary Sampling", And "Enforcement And Penalties;" And Further Amending The Special Event Fee Schedule, And Hereby Permitting And Restricting Further Uses On Public Property. **7)** Discussion Regarding The County's Resolution For Co-Designation Of Portions Of Venetian Causeway As Judge Irving Cypen Way. (Page 61)

C6 - Commission Committee Reports (Continued)

- C6D Report Of The Land Use And Development Committee On February 23, 2011: **1)** Election Of Officers For The Land Use And Development Committee. **2)** Discussion On A Stricter Panhandling Ordinance. **3)** Discussion On The Issuance Of A Request For Proposal (RFP) To Develop A City-Wide Transportation Plan. **4)** Proposed Alton Road Historic District Buffer Overlay. **5)** Proposed Parking District #5 For The Alton Road Corridor. **6)** Discussion On Artificial Grass At Hotels And Homes And The Planning Department Procedure For Approving Same. **7)** Discussion Regarding The Notice Requirements For All Land Use Boards. **8)** Discussion Regarding A Recommendation Of The Disability Access Committee To Create A Lane Of Travel On The 1100 Block Of Lincoln Road. **9)** Short Term Rental Ordinance Enforcement. **10)** Discussion Regarding An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 2, "Administration," Article II, "City Commission", By Enacting A New Section 2-12, "Meeting Agendas," Requiring Proposed Legislation Or Ordinances That Appear On A City Commission Or Commission Committee Agenda To Have A Commissioner Sponsor Identified; Providing For Repealer; Codification; Severability; And An Effective Date. **11)** Discussion Regarding Stay Of Proceedings Of City Code Section 118-136 And Section 118-137, Resulting From Appeals Of Administrative Decisions To The Board Of Adjustment. **12)** Discussion Regarding The Gale Hotel Height Limits. (Page 67)

C7 - Resolutions

- C7A A Resolution Accepting The Recommendation Of The City Manager, Pursuant To Request For Qualifications (RFQ) No. 04-10/11, For Design, Bid, Award, And Construction Administration Services For The South Pointe Pier Park Project; And Authorizing The Administration To Enter Into Negotiations With The Top-Ranked Firm, Post, Buckley, Schuh & Jernigan, Inc.; And Should The Administration Not Be Able To Successfully Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm, Bermello Ajamil & Partners, Inc.; And Should The Administration Not Be Able To Negotiate An Agreement With The Second-Ranked Firm, Authorizing The Administration To Negotiate An Agreement With The Third-Ranked Firm, Keith And Schnars, P.A. (Page 75)
(Capital Improvement Projects/Procurement)

C7 - Resolutions (Continued)

C7B Reappointment Of Chief Special Master (Page 91)

1. A Resolution Accepting The Recommendation Of The City Manager, Pursuant To Section 30-36 Of The Code Of The City Of Miami Beach, Concerning The Re-Appointment Of Abraham Laeser, Esquire, To Serve As Chief Special Master, For A Term Commencing On March 15, 2011, And Ending On September 14, 2011; Provided Further That Chief Special Master Laeser Shall Be Authorized To Hold Hearings And Impose Fines, Liens And Other Non-Criminal Penalties Against Violators Of The City And County Codes And Ordinances, And Shall Also Be Authorized To Appoint Such Other Special Masters As May Reasonably Be Required To Conduct The Subject Hearings; And Further Incorporating All Other Matters Set Forth Within Chapter 30 Of The City Code, Including, Without Limitation, Sections 30-37 And 30-38 Thereof, Concerning The Compensation And Duties Of The Chief Special Master
2. A Resolution Approving And Re-Appointing, Pursuant To Section 102-356 Of The City Code, Abraham Laeser Esquire, (Chief Special Master Re-Appointed Pursuant To Resolution No. _____, As The City Manager's "Designee" Under Section 102-356 Of The City Code; Said Designation Commencing With Mr. Laeser's Term As Chief Special Master On March 15, 2011, And Ending On September 14, 2011.
(City Clerk's Office)

C7C A Resolution Approving A Preconstruction Application For Historic Ad Valorem Tax Exemption For A Single-Family Property At 625 West 47th Street, And Authorizing The Miami-Dade County Property Appraiser's Office To Grant This Tax Exemption For The City's Portion Of Ad Valorem Property Taxes For Qualifying Improvements To The Subject Property Following Substantial Completion Of The Project And Compliance With Certain Conditions. (Page 99)
(Planning Department)

C7D A Resolution Authorizing The City Manager And City Clerk To Execute A Memorandum Of Understanding With The Public Health Trust Of Miami-Dade County, Florida, Which Operates And Governs Jackson Memorial Hospital And Other Designated Facilities Within The Jackson Health System, For The Purpose Of Establishing A Single Set Of Protocols For The Safe And Secure Transportation Of A Person And Transfer Of Custody Of A Person To A Receiving Facility For Involuntary Examination As Mandated By Chapter 394 Of The Florida Statutes, Known As The Florida Mental Health Act Or The Baker Act. (Page 119)
(Police Department)

C7E A Resolution Retroactively Approving The First-Year Renewal Of Security Alliance's Contract For Security Guard Services, Dated April 2, 2007, With Such First Renewal Being Effective As Of May 1, 2010 To April 30, 2011; Further Approving The Second-Year Renewal Of Security Alliance's Contract, With Such Second Renewal Being Effective From May 1, 2011 To April 30, 2012; And Further Authorizing The Issuance Of Request For Proposals (RFP) For Security Guard Services, At Least Six (6) Months Prior To Contract Expiration (Or October 1, 2011). (Page 123)
(Parking Department/Police Department)

C7 - Resolutions (Continued)

- C7F A Resolution Approving And Authorizing The City Manager And City Clerk To Execute Such Document Or Documents, As Necessary, To Abandon An Existing Utility Easement And Grant A New Utility Easement On A Portion Of The Residential Property At 845 82 Street, Miami Beach, Florida. (Page 151)
(Public Works)
- C7G A Resolution Approving And Authorizing The City Manager And City Clerk To Accept A New Water Main Easement On A Portion Of The Property Known As SOHO Beach House Located At 4385 Collins Avenue, Miami Beach, Florida. (Page 177)
(Public Works)
- C7H A Resolution Authorizing The Appropriation Of Funds, In The Amount Of \$140,627, For Drainage Improvements To The 4400 Block Of Middle North Bay Road, With Funding From The Stormwater Line Of Credit, To Be Repaid From The Future Stormwater Bond. (Page 187)
(Public Works)
- C7I A Resolution Approving And Authorizing The City Manager To Issue A Certification Of Consistency With The City's Consolidated Plan To The Housing Authority Of The City Of Miami Beach (HACMB) For Their Annual PHA Plan For Fiscal Year 2011, To Be Submitted By HACMB To The U.S. Department Of Housing And Urban Development (U.S. HUD). (Page 203)
(Real Estate, Housing & Community Development)
- C7J A Resolution Accepting The Recommendation Of The Neighborhood/Community Affairs Committee Regarding The Placement Of A Memorial Plaque On The Bus Shelter Located At 3801 Collins Avenue, In Memory Of Mr. Harold Tillman, And Setting A Public Hearing For Final Approval Of The Placement Of Said Plaque, In Accordance With Section 82-504 Of The City Code, With Said Hearing To Be Held In The City Commission Chambers On April 13, 2011. (Page 207)
(Public Works)
- C7K A Resolution Accepting An Easement For A Bicycle Rental Kiosk On A Portion Of The Whole Foods Market Site, Located At 1020 Alton Road, Miami Beach, Florida. (Page 215)
(Parking Department)

End of Consent Agenda